

REMARKS

The Office Action of October 18, 2005, and the cited art have been carefully considered. Reconsideration of the application is respectfully requested based on the amendments and following discussion.

Claim 1 has been amended to show plug type electrical contacts as shown and described in the specification and drawings.

OBJECTIONS

1. The title was objected to as not being descriptive.

The title has been amended.

REJECTION 103:

2. Claims 1-9 were rejected under 35 USC 103 over Behr US 2002/0163288 in view of Alloway US 6,467,942.

The rejection of Claims 1-9 as being unpatentable under 35 U.S.C. 103 as being obvious over Behr '288 in view of Alloway '942 is respectfully traversed and reconsideration thereof is requested.

Behr '288 shows a vehicle lamp assembly with a straight base type socket. The invention in Behr '288 is to pretension the leads between the lamp envelope and the base so as to avoid backlash during insertion and the implied resulting lamp motion. Behr '288 shows a single plug connection.

Alloway '942 shows a vehicle lamp assemble with a coupler to hold a replaceable lamp axially in a socket, while connection wires 20, 24, 28 extend from the coupler transverse to the lamp axis. Alloway '942 shows two plug connections in series.

The Office Action correctly points out Behr '288 fails to disclose a second pair of contacts.

The Office Action states Alloway '942 teaches contacts transverse to the lamp axis. These contacts 20, 24, and 28 are wires and do not form a plug connection. The plug connections actually shown are all axially aligned, and connected in series.

*"In determining obviousness of claimed apparatus under 35 U.S.C. 103, it is improper to modify reference in light of applicant's own disclosure." **Ex parte Camarata**; 151 USPQ 739; PO Bd of App; Mar. 1 and May 17, 1966*

Free hanging wires do not form plug connections. There is no suggestion in Alloway '942 that the transverse leads could or should form a transverse plug coupling.

What Alloway '942 shows is a plug-in lamp 18 with first leads (near 16) that have a first format. These first leads are electrically connected through an adapter to second leads 20, 24, 28 that have a second format. This is a series connection. There is no suggestion in Alloway '942 that the first leads and the second leads should or could be alternatively connected or connected in parallel.

The Office Action provides no support that alternative or parallel power sockets can or should be used in a single lamp base. At best a series connection is shown. There is absolutely nothing to suggest a parallel electrical structure.

"Obviousness is tested by "what the combined teachings of the references would have suggested to those of ordinary skill in the art."... But it "cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination. ...And "teachings of references can

be combined only if there is some suggestion or incentive to do so." In re Fine 5 USPQ2d 1596, 1599(2)

The obvious combination that is truly suggested by the references is to replace the lamp 18 of Alloway '942 with the lamp of Behr '288. This is functionally the same as Alloway '942, and is not the Applicant's invention.

The Office Action asserts, "*Adding* [There is no suggestion, and no established basis that Behr needs the addition of anything.] *the set of electrical contacts* [These are the free hanging wires] *transverse to the longitudinal direction of the lamp as taught by Alloway to the lamp as disclosed by Behr* [There is no suggestion, and no established basis that Behr needs the addition of free hanging wire connections.] *and electrically and mechanically connecting the two sets of contacts* [The two sets of contacts in Alloway 16/20,24,28 are connected, but in series. There is no suggestion, and no established basis that Behr needs sets of leads connected in the alternative or in parallel.] *would be obvious* [Obviousness is an unsupported conclusion.] *to one of ordinary skill in the art so as to allow connection to different types of automobiles* [This problem is not established by the references. It is taken from the Application.] *with one device.*"

There has been no showing of why the combination of references is suggested or needed. There has been no showing of how the combination of references is to be made. There has been no showing that the suggested combination yields the claimed invention. As a result, no showing has been made of how Behr '288 and Alloway '942 together make the claimed invention obvious. The Board of Appeals was explained this requirement quite clearly before.

"In the instant application, the examiner has done little more than cite references to show that one or more elements or subcombinations thereof, when each is viewed in a vacuum, is known. The claimed invention, however, is clearly directed to a combination of elements. That is to say, appellant does not claim that he has invented

one or more new elements but has presented claims to a new combination of elements. To support the conclusion that the claimed combination is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed combination or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references. . . . Based upon the record before us, we are convinced that the artisan would not have found it obvious to selectively pick and choose elements or concepts from the various references so as to arrive at the claimed invention without using the claims as a guide. It is to be noted that simplicity and hindsight are not proper criteria for resolving the issue of obviousness. Ex parte Clapp, 227 USPQ 972, 973 (B.P.A.I. 1985)

Withdrawal of the rejection and reconsideration of the rejected claims are therefore respectfully requested.

It is believed that a full and complete response to the Office Action has been made, that the Application as amended is patentably distinct over the cited art, and that the case is now in condition to be passed to issue. Reconsideration of the amended application is therefore requested, and an early favorable notice of allowance is courteously solicited.

Respectfully submitted,

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